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7 LOOP AI LABS INC,
8 Plaintiff,
9 v.
10 ANNA GATTI, et al.,
11 Defendants.

Case No. 15-cv-00798-HSG

**ORDER REGARDING EX PARTE
MOTION FOR TEMPORARY
RESTRANING ORDER**

Re: Dkt. No. 9

12 On March 3, 2015, Plaintiff Loop AI Labs, Inc. moved *ex parte* for entry of a temporary
13 restraining order (“TRO”) and order to show cause regarding preliminary injunctive relief against
14 the named Defendants in this action. *See* Dkt. No. 9.

15 On the record presented, the Court cannot conclude that the requirements of Federal Rule
16 of Civil Procedure 65 are met so as to permit issuance of a TRO without notice. *See* Fed. R. Civ.
17 P. 65(b)(1)(A) (court may issue temporary restraining order without notice to the adverse party
18 only if “specific facts in an affidavit or a verified complaint clearly show that immediate and
19 irreparable injury, loss, or damage will result to the movant before the adverse party can be heard
20 in opposition.”).

21 Plaintiff is directed to serve the documents submitted to the Court under Docket Numbers
22 9, 10, 11 (the *ex parte* motion and supporting documents) and 12 (this order) on all named
23 Defendants by no later than 5 p.m. PST on Thursday, March 5, 2015. Service of these documents
24 may be effected on Defendants Almaviva S.p.A. and Almaware S.r.l. through the Italian Certified
25 Electronic Mail system known as the “Posta Elettronica Certificate” or “PEC.” Plaintiff shall
26 contact attorney Richard E. Levine – who represented on March 2, 2015 that he was authorized to
27 accept service of the complaint on behalf of Defendant Gatti, *see* Dkt. No. 11-5 – to determine if
28 he will accept service of the TRO papers and this order. Plaintiff is directed to immediately notify

1 the Court if Mr. Levine declines to accept service on behalf of Defendant Gatti.

2 Any Defendant opposing the relief sought by Plaintiff must file a response with this Court
3 by no later than Monday, March 9, 2015. The Court will notify the parties whether a hearing will
4 be held.

5 **IT IS SO ORDERED.**

6 Dated: 3/4/2015



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8 HAYWOOD S. GILLIAM, JR.
United States District Judge

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United States District Court
Northern District of California